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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/586,340

07/14/2006

Shigeaki Tamura

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EXAMINER

NWUGO, OJIAKO K

ART UNIT

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2612

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/586,340	<b>Applicant(s)</b> TAMURA, SHIGEAKI	
	<b>Examiner</b> OJIAKO NWUGO	<b>Art Unit</b> 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 19 is/are rejected.
- 7) ☐ Claim(s) 17 and 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>07/14/2006</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Objections***

**Claims 17 and 18** are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 16. See MPEP § 608.01(n). Accordingly, the claims 17 and 18 have not been further treated on the merits.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**Claim 8** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear what the applicant wishes to in this quoted section of the claim language, “activates the aural information providing unit to notify content of at least one of an opening and an ending based on the information”.

**Claim 16** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear what the applicant wishes to in this quoted section of the claim language, “the multiplex communication input/output terminal at the time when the informations are sequentially notified in the descending order of priority, the control unit cancels a notification operation of the information corresponding to the signal”.

**Claim 19** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear what the applicant wishes to in this quoted section of the claim language, "includes an input unit to determine contents of the various settings in the customize mode, and a storage unit to register the contents of the various settings".

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1, 2, 3** are rejected under 35 U.S.C. 103(a) as being unpatentable over Shinya Adachi US Patent Application 2006/0082472 in view of Shinichi Gayama U.S Patent application 2003/0217160. (Hereafter referred to as Adachi and Gayama).

Regarding **Claim 1**, Adachi discloses fig 16 and paragraph 251 in light paragraph 219 discloses a vehicle navigation system with receiver 60 that provides voice guidance about traffic condition to user via apparatus 71. The Man- Machine input (MMI) 78, for inputting destination information and section 77 for setting current position and destination, with associated circuitry are a corollary to the 'control unit '. The MMI section 180 provides route calculation and guidance by integrating (multiplexing)

information from Sections 65, 68 and 79, Thus section 180 is corollary to the "multiplex communication output unit".

By 'answerback' Examiner will assume as applicant means to indicate response to user inputs and commands and by 'automatic traveling', traveling aid. Gayama discloses fig. 8 and paragraph 90 in light paragraph 8, the use of voice prompts to assure user inputs for car navigation.

It would have been obvious fro one of ordinary skill at the time of the invention to incorporate the voice prompt of Gayama into Adachi for the purpose of confirming user inputs.

Regarding **Claim 2**, Adachi discloses in Fig 16 and paragraph 251 MMI 180 for route display and Apparatus 71 for voice guidance. This reads on "visual information providing unit to visually display the various states of the vehicle, and the control unit causes a display mode relating to notification content of the aural information providing unit to be displayed by the visual information providing unit".

Regarding **Claim 3**, Adachi discloses in fig 16 and paragraph 251 an apparatus 71 for providing voice guidance. This reads on "characterized in that the control unit uses the aural information providing unit to send a notification by voice".

**Claim 4** is rejected under 35 U.S.C. 103(a) as being unpatentable over Adachi and Gayama in view of Jun Oouchi U.S. Patent 6356207. (Hereafter referred to as Oouchi)

Regarding **Claim 4**, Adachi discloses in fig. 16 and paragraph 251 apparatus 71 for providing voice notifications. Adachi does not disclose other sound effects for user

notification. Oouchi discloses in col. 5 lines 60-65 user notification via Voice and buzzer.

It would have been obvious for one of ordinary skill at the time of the invention to incorporate the combination of voice and buzzer notification in Oouchi into Adachi for improved notification effectiveness.

Regarding **Claim 6**, Adachi discloses fig 16 and paragraph 251 in light paragraph 219 discloses a vehicle navigation system with receiver 60 that provides voice guidance about traffic condition to user via apparatus 71. The Man- Machine input (MMI) 78, for inputting destination information and section 77 for setting current position and destination, with associated circuitry are a corollary to the 'control unit '. The MMI section 180 provides route calculation and guidance by integrating (multiplexing) information from Sections 65, 68 and 79, Thus section 180 is corollary to the "multiplex communication output unit".

Adachi does not disclose the use of voice and other sound effect. Oouchi discloses in col. 5 lines 60-65 user notification via Voice and buzzer of various information.

It would have been obvious for one of ordinary skill at the time of the invention to incorporate the combination of voice and buzzer notification in Oouchi into Adachi for improved notification effectiveness.

Regarding **Claim 7** Oouchi discloses in col. 5 lines 60-65 the use of various just a buzzer and display to indicate various information.

Regarding **Claim 10/6**, Oouchi discloses in col. 5 lines 60-65 the use of various just a buzzer and display to indicate various information.

Regarding **Claim 8**, Adachi discloses fig 16 and paragraph 251 in light paragraph 219 discloses a vehicle navigation system with receiver 60 that provides voice guidance about traffic condition to user via apparatus 71. The Man- Machine input (MMI) 78, for inputting destination information and section 77 for setting current position and destination, with associated circuitry are a corollary to the 'control unit '. The MMI section 180 provides route calculation and guidance by integrating (multiplexing) information from Sections 65, 68 and 79, Thus section 180 is corollary to the "multiplex communication output unit".

Adachi does not disclose the use of voice and other sound effect. Oouchi discloses in col. 5 lines 60-65 user notification via Voice and buzzer of various information.

It would have been obvious for one of ordinary skill at the time of the invention to incorporate the combination of voice and buzzer notification in Oouchi into Adachi for improved notification effectiveness.

Regarding **Claim 9**, Neither Adachi or Oouchi discloses use of music as a sound effect, but Oouchi discloses another sound effect such as a buzzer.

Regarding **Claim 10/8**, Oouchi discloses in col. 5 lines 60-65 the use of various just a buzzer and display to indicate various information.

Regarding **Claim 11**, Adachi discloses fig 16 and paragraph 251 in light paragraph 219 discloses a vehicle navigation system with receiver 60 that provides

voice guidance about traffic condition to user via apparatus 71. The Man- Machine input (MMI) 78, for inputting destination information and section 77 for setting current position and destination, with associated circuitry are a corollary to the 'control unit '. The MMI section 180 provides route calculation and guidance by integrating (multiplexing) information from Sections 65, 68 and 79, Thus section 180 is corollary to the "multiplex communication output unit".

Adachi does not disclose the use of voice and other sound effect. Oouchi discloses in col. 5 lines 60-65 user notification via display and buzzer of various information.

It would have been obvious for one of ordinary skill at the time of the invention to incorporate the combination of display and buzzer notification in Oouchi into Adachi for improved notification effectiveness.

**Claim 5** is rejected under 35 U.S.C. 103(a) as being unpatentable over Adachi, Gayama and Oouchi in view of John Franklin Ebersole et al I U.S. Patent Application 2003/0210228. (Hereafter referred to as Ebersole)

Regarding **Claim 5**, Adachi and Oouchi discloses all the limitation of claim 5 as applied to claim 4 except changing sound effect for various states. Ebersole discloses in paragraph 130 the use of various sound effects in a navigation to indicate various.

It would have been obvious to one of ordinary skill at the time of the invention to use the sound effects of Ebersole into Adachi to indicate various states in guidance/warning and answerback for improved effectiveness in alerting user.



**Claim 12/1** is rejected under 35 U.S.C. 103(a) as being unpatentable over Adachi and Gayama in view of Shingo Kuwahara et al US Patent 5394332. (Hereafter referred to as Kuwahara).

Regarding **Claim 12/1**, neither Adachi nor Gayama explicitly discloses audible time indication. Kuwahara discloses in Fig. 2, 4 and col. 7 lines 16-20 in light of col. 2 lines 6-19 the provision of audible indication of estimated indication of approach time to destination.

It would have been obvious for ordinary skill at the time of the invention to incorporate the audible indication of Kuwahara into Adachi to give driver an estimation of time.

**Claim 13/12/1** is rejected under 35 U.S.C. 103(a) as being unpatentable over Adachi and Gayama and Kuwahara in view of William E. Mazzara et al US Patent Application 2004/0203951. (Hereafter referred to as Mazzara).

Regarding **Claim 13/12/1** Kuwahara does not disclose explicitly the use of GPS to acquire time information. Mazzara discloses in fig 2 and paragraph 23 the use of GPS to acquire and display time information.

It would have been obvious for one of ordinary skill at the time of the invention to use the GPS of Mazzara in Kuwahara for purpose of providing local timing to vehicle.

**Claims 12/6, 12/8, 12/11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Adachi and Oouchi in view of Shingo Kuwahara et al US Patent 5394332. (Hereafter referred to as Kuwahara).

Regarding **Claims 12/6, 12/8, 12/11, neither** Adachi nor Oouchi explicitly discloses audible time indication. Kuwahara discloses in Fig. 2, 4 and col. 7 lines 16-20 in light of col. 2 lines 6-19 the provision of audible indication of estimated indication of approach time to destination.

It would have been obvious for ordinary skill at the time of the invention to incorporate the audible indication of Kuwahara into Adachi to give driver an estimation of time.

**Claims 13/12/6, 13/12/8, 13/12/11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Adachi and Oouchi and Kuwahara in view of William E. Mazzara et al US Patent Application 2004/0203951. (Hereafter referred to as Mazzara).

Regarding **Claims 13/12/6, 13/12/8, 13/12/11**, Kuwahara does not disclose explicitly the use of GPS to acquire time information. Mazzara discloses in fig 2 and paragraph 22 the use of GPS to acquire and display time information.

It would have been obvious for one of ordinary skill at the time of the invention to use the GPS of Mazzara in Kuwahara for purpose of providing local timing to vehicle.

**Claim 14/1, 14/6, 14/8, 14/11, 15/1, 15/6, 15/8, 15/11, 16/15/1, 16/15/6, 16/15/8, 16/15/11, 19/1, 19/6, 19/8, 19/11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Adachi in view of Robert Pierce Lutter et al U.S. Patent application 2002/0196134. (Hereafter referred to Lutter)

Regarding **Claim 14/1, 14/6, 14/8, 14/11** Adachi does disclose a signal to control other vehicle mounted audio devices. Lutter discloses in paragraphs 23 and 24 an audio manager 14 that can override outputs of vehicle audio devices.

It would have been obvious for one of ordinary skill at the time of the invention to incorporate the volume lowering of Lutter into Adachi for effective warning notification as taught by Lutter.

Regarding **Claims 15/1, 15/6, 15/8, 15/11**, Lutter discloses in fig. 3 and paragraph 23 an audio manager 14 which set up audio output in accordance with preset priority.

Regarding **claims 16/15/1, 16/15/6, 16/15/8, 16/15/11**, Examiner will assume that applicant intends to claim an override of lower priority audio outputs. Lutter discloses in paragraph 24, the override of lower priority audio outputs.

Regarding **Claim 19/1, 19/6, 19/8, 19/11**, Examiner will assume that applicant intends to claim a way of confirming customized setting. Lutter discloses in fig. 3 in block 50 and paragraph 23

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OJIAKO NWUGO whose telephone number is (571)272-9755. The examiner can normally be reached on M - F 7.30am - 5.00pm EST, Alternate Fridays Off.

Art Unit: 2612

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on (571) 272 2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OKN

/Jeff Hofsass/  
Supervisory Patent Examiner, Art Unit 2612